REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for the courtesies extended during the Examiner Interview conducted on December 16, 2008 and for carefully considering this application.

Examiner Interview

An Examiner Interview was conducted on December 16, 2008. Applicants have reviewed the interview summary mailed on December 23, 2008 and agree with its comments.

Disposition of the Claims

Claims 1, 2, 8-11, 17-20, 23, and 24 are pending in this application. Of the currently pending claims, claims 1, 10, and 19 are independent. The remaining claims depend, directly or indirectly, from claims 1, 10, and 19.

Claim Amendments

Claims 1, 2, 8-11, 18-20 and 24 are amended by way of this reply. Specifically, claims 1, 10, and 19 are amended to clarify the invention. Claims 2, 8, 9, 11, 18, 20, and 24 are amended for consistency with the amendments to claims 1, 10, or 19. No new matter has been added by way of these amendments as support may be found, for example, on p. 21, ll. 17 – p. 23, ll. 16 of the Application as filed.

Amendments to the Specification

The Specification is amended by way of this reply. Support for this amendment may be found, for example, on page 13, ll. 7- p. 14, ll. 9, Figure 2, and claim 19 of the application as originally filed. Applicants assert that no new subject matter has been added by way of this amendment.

Objection to the Specification

The Specification stands objected to for failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner states that claims 19, 20, 23, and 24 recite a "computer readable medium" that is not disclosed in the Specification. Applicant respectfully notes that claims 19, 20, 23, and 24 recite a "computer-useable medium having computer readable program code" (emphasis added). As discussed above, the Specification is amended by way of this reply to disclose a computer-useable medium. Accordingly, the Specification, as amended, provides proper antecedent basis for the claimed subject matter. Withdrawal of this objection is respectfully requested.

Rejection under 35 U.S.C. § 112

Claims 1, 10, and 19 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to provide written description for the term "invalidate". Claims 1, 10, and 19 are amended by way of this reply to remove the term "invalidate". Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1, 2, 9-11, 18-20, and 24

Claims 1, 2, 9-11, 18-20, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2003/0115322 ("Moriconi") in view of U.S. Patent Pub. No. 2005/0021818 ("Singhal"), and in further view of U.S. Patent No. 6,178,505 ("Schneider"). To the extent that this rejection applies to the amended claims, this rejection is respectfully traversed.

The claims, as amended, are directed to a server evaluating requests from requestors. Specifically, as policy decisions are received from requestors, a determination is made whether a policy decision for the requestor is in local memory. If the policy decision is not in local memory, then the policy decision is obtained by a remote source that uses a policy to create the policy decision. If the policy decision is in local memory, then the policy decision is obtained from local memory. *See, e.g.*, p. 16, ll. 25 – p. 18, ll. 11 and p. 21, ll. 17- p. 23, ll. 16.

The remote source may send a notification to the server that a policy decision is no longer valid. In such a scenario, the server marks the policy decision identified by the notification. The marking indicates that when a subsequent request is received, an updated policy decision must be obtained from the remote source. *Id.*

Accordingly, as required by claim 1, when the first policy decision is marked as requiring an update based on a notification other policy decisions (*i.e.,* the second policy decision) may remain unmarked. Thus, the server uses the second policy decision for the third request, and waits to receive another request (*i.e.*, the fourth request) before obtaining a new policy decision to

replace the first policy decision, which has been marked. Independent claims 10 and 19, as amended, include similar limitations as independent claim 1.

Turning to the rejection, MPEP §2143 states that "[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious." Further, the Supreme Court in *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1739, 75 U.S.L.W. 4289 (2007) noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. See, MPEP §2143. The analysis presented by the Examiner to support the rejection of the claims under 35 U.S.C. § 103 in the Office Action dated October 21, 2008 indicates that the Examiner found no differences between the cited prior art and the claims besides a lack of the actual combination of the elements in a single prior art reference, *i.e.,* that the Examiner is relying solely on the teachings of the prior art. *See, e.g.*, MPEP § 2143(A). Applicants respectfully assert that all of the elements of the amended claims are not found in the cited prior art.

As discussed above, the claimed invention requires, in part, that the policy decision on the server is selectively marked based on a notification when a change is made to a policy decision, such that the marking identifies that an updated policy decision must be requested when a subsequent request from the same requestor is received for the resource.

Turning to the cited art, Moriconi is silent with respect to selectively marking policy decisions. Rather, the system disclosed by Moriconi includes a policy manager on a server in the network that manages a global security policy and an application guard on a client or client server that includes a local client security policy rule derived from the global security policy rule. *See, e.g.*, Moriconi, paragraph [0047] and Figure 3. For every access request, the application guard makes a decision as to whether to allow or deny access using a policy. Said another way, the

application guard reviews the policy and makes a determination for each access request. Because the application guard makes the decision for each access request, it is clear that no policy decision is ever stored as the storing of the policy decision would make the application guard's actions superfluous. Therefore, in Moriconi, a stored policy decision cannot be marked as requiring an update. In view of the above, Moriconi clearly does not teach or suggest that a policy decision on the server is selectively marked based on a notification when a change is made to a policy definition, such that the marking identifies that an updated policy decision must be requested when a subsequent request from the same requestor is received for the resource as required by the amended claims.

Singhal fails to teach or suggest that which Moriconi lacks. Singhal discloses an Application Intermediation Gateway (AIG) that connects a plurality of core network elements to a plurality of network resources such as content providers, third party application providers, and partner portals. The AIG provides access to the network resources by implementing application level policies. The decisions on the application level policies (*i.e.*, policy decisions) are provided to the AIG by a policy decision point. *See, e.g.,* Singhal, paragraph [0030]. However, Singhal is completely silent with respect to what happens when an application level policy at a policy decision point is changed. That is, Singhal does not disclose any type of procedure for notifying the AIG of a resource affected by a change in a policy definition. Clearly, Singhal does not teach or suggest that a policy decision on the server is selectively marked based on a notification when a change is made to a policy definition, such that the marking identifies that an updated policy decision must be requested when a subsequent request from the same requestor is received for the resource as required by the amended claims.

Schneider fails to teach or suggest that which Moriconi and Singhal lack. Specifically, in Schneider, changes are immediately propagated to all access filters after the change to an access control database is made. *See*, *e.g.*, Schneider, col. 24, ll. 31-33. Because changes are immediately made, Schneider fails to teach or suggest that a policy decision on the server is selectively marked based on a notification when a change is made to a policy definition, such that the marking identifies that an updated policy decision must be requested when a subsequent request from the same requestor is received for the resource as required by the amended claims. Said another way, Schneider teaches immediate updating of all access filters while the claims only require updating in the event that the policy decision is applied.

In view of the above, Moriconi, Singhal, and Schneider, whether considered together or separately, fail to teach all of the limitations of claims 1, 10, and 19. Dependent claims 2, 9, 11, 18, 20, and 24, which depend from claims 1, 10, or 19, are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8, 17, 23

Claims 8, 17, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moriconi view of Singhal, in further view of Schneider, and in further view of U.S. Patent Pub. No. 2003/0021283 ("See"). To the extent that this rejection applies to the amended claims, this rejection is respectfully traversed.

Claims 8, 17, and 23 depend from claims 1, 10, and 19. As discussed above, Moriconi, Singhal, and Schneider fail to teach or suggest all of the limitations of claims 1, 10, and 19. Further, See fails to teach or suggest that which Moriconi, Singhal, and Schneider lack.

Specifically, See is directed to a system where policies are evaluated to create the policy decision, and enforced by the same network device. *See*, *e.g.*, See Abstract. Because the policy decisions are evaluated and enforced by the same device, the device does not require notification from a remote entity when the policy decision is no longer valid. Therefore, See fails to teach or suggest a policy decision on the server is selectively marked based on a notification when a change is made to a policy definition, such that the marking identifies that an updated policy decision must be requested when a subsequent request from the same requestor is received for the resource as required by the amended claims.

In view of the above, Moriconi, Singhal, Schneider, and See, whether considered together or separately, fail to teach all of the limitations of claims 1, 10, and 19. Dependent claims 8, 7, and 23, which depend from claims 1, 10, and 19, are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/496001; P9015).

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Respectfully submitted,

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